

1 **UNITED STATES DISTRICT COURT**2 **DISTRICT OF NEVADA**

3 * * *

4 Angelo Ferguson,

Case No. 2:22-cv-01116-JAD-BNW

5 Plaintiff,

6 **REPORT AND RECOMMENDATION**

7 v.

8 E.S.P.H.R.P.,

9 Defendant.

11 Plaintiff initiated this case on July 11, 2022. ECF No. 1. Plaintiff's first filing did not
12 include a filing fee or an application to proceed *in forma pauperis* ("IFP application"). *Id.*
13 Accordingly, the Court ordered Plaintiff to file an IFP application or pay the filing fee. ECF No.
14 3. Since that order, the Court gave Plaintiff two other opportunities to file a complete IFP
15 application or pay the filing fee, his latest deadline being October 21, 2022. *See* ECF Nos. 8, 12.
16 The Court also advised Plaintiff that failure to comply with its order may result in a
17 recommendation that this case be dismissed. ECF No. 12 at 2. Since this last order, Plaintiff has
18 not taken any action in this case. Accordingly, it appears Plaintiff abandoned his case.

19 IT IS THEREFORE RECOMMENDED that Plaintiff's case be dismissed without
20 prejudice and this case closed.

NOTICE

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within 14 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: December 7, 2022

Brenda Weksler
Brenda Weksler
United States Magistrate Judge